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SUMMARY RECORD OF THE 19th MEETING

Chairman: Mr. TSHERING (Bhutan)

later: Mrs. TAVARES DE ÁLVAREZ (Dominican Republic)
(Vice-Chairman)

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The meeting was called to order at 10.30 a.m.

TRIBUTE TO THE MEMORY OF YITZHAK RABIN, PRIME MINISTER OF ISRAEL

1. At the invitation of the Chairman, the members of the Committee observed a minute of silence.
2. The CHAIRMAN, on behalf of the Committee, expressed heartfelt condolences to the Government and people of Israel in connection with the tragic death of Yitzhak Rabin.
3. Mr. OSSIO (Bolivia), speaking on behalf of the Group of Latin American and Caribbean States, paid tribute to the memory of Yitzhak Rabin.
4. Ms. ENGELBRECHT (South Africa), speaking on behalf of the Group of African States, expressed profound condolences to the Government and people of Israel in connection with the tragic death of Yitzhak Rabin.
5. Mrs. LIMJUCO (Philippines), speaking on behalf of the Group of 77 and China, paid tribute to the memory of Yitzhak Rabin and expressed sincere condolences to the Government and people of Israel.

AGENDA ITEM 109: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (A/50/3, A/50/12, A/50/275-S/1995/555, A/50/413, 414 and 555)

6. Mr. JESSEN-PETERSEN (Director of the Office of the United Nations High Commissioner for Refugees, in New York), introducing the item, said that he had been informed by the Secretariat that the conclusions of the Executive Committee of the High Commissioner's programme would be issued subsequently in an addendum to the report of the United Nations High Commissioner for Refugees (A/50/12). The past year had been another difficult one for the Office of the United Nations High Commissioner for Refugees (UNHCR) and the world's 27 million refugees and displaced persons. The conclusions of the Executive Committee focused on a number of important questions pertaining to the international protection of refugees and solutions to the problems affecting them and on such contemporary issues as statelessness, refugee women, refugees and the environment, and regional refugee issues.

7. The search for solutions was an integral part of the High Commissioner's mandate for international protection. Nowhere would that essential link be more severely tested than in the former Yugoslavia as UNHCR embarked on the delicate and difficult operation of returning refugees in conditions of voluntariness and safety. Guiding principles must be laid down in order to ensure that protection was extended to all who needed it. The Executive Committee reaffirmed the critical importance of development and rehabilitation assistance in addressing the causes of refugee situations, as well as their prevention and solution, including voluntary repatriation.

8. The report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/50/413) provided comprehensive information on

the activities of the United Nations system. Currently, nearly 50 per cent of the world's refugees were in Africa, where UNHCR assistance programmes were extended to nearly 80 million refugees and almost 5 million internally displaced persons. The Office was concerned about the restrictive policies and practices carried out by some Governments in Africa, such as closure of borders to asylum-seekers, large-scale forced returns and expulsions as well as continuing forced displacement. Nevertheless, Africa also continued to be the continent where most of the current solutions were pursued through large-scale voluntary repatriation, as in Eritrea, Chad, Mali and Angola. The report of the Secretary-General on the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements (A/50/414) provided a concise review of preparations for the convening, not later than 1996, of a regional conference to address those problems in the countries of the Commonwealth of Independent States and relevant neighbouring States.

9. Lastly, the report of the Secretary-General on assistance to unaccompanied refugee minors (A/50/555) addressed issues and activities relating to unaccompanied minors and the efforts to repatriate and rehabilitate them. UNHCR and UNICEF were the United Nations agencies carrying out such activities.

10. Archbishop MARTINO (Observer for the Holy See) said that the Office of the United Nations High Commissioner for Refugees (UNHCR) remained at the forefront of all activities on behalf of refugees and displaced persons. While it was gratifying to note that the overall level of financial contributions to the Office for 1995 had been impressive, the current demands placed on it were far greater.

11. His delegation was gravely concerned about the increasingly frequent and serious attacks against the right to freedom of conscience and religion in UNHCR documents. Failing to take into account the disparate views on appropriate health care in the areas of sexuality and reproduction, certain provisions expressly dismissed individual beliefs in order to require abortion counselling. It would be extremely unfortunate if individuals and humanitarian assistance groups were prevented by UNHCR from providing general health care and other necessities to refugee and displaced populations solely because they objected on moral or health-related grounds to the provision of contraceptives and abortion services. It was hoped that, in the future, the needs and overall well-being of refugees would be considered openly and would take precedence over an ideological preoccupation with a limited concept of "reproductive health care".

12. While appealing to all countries to carry out international commitments concerning refugees, he also advocated initiatives by the international community to address the concerns of host communities in order to strengthen their capacity and willingness to cope with population movements. The resources of some countries, for example those in the Great Lakes region of Africa, had been very severely strained by the sudden and massive influx of refugees. Much more must be done to protect refugee women and children, who were all too frequently victims of abuse and neglect. Women in refugee camps must be given a greater role in the management of supplies and the distribution of foodstuffs since they were generally more capable of meeting the basic needs of their

families. Careful attention must also be given to preserving and strengthening families within the camps.

13. Enabling the refugees to return in justice and dignity was the best final solution. Serious efforts at promoting genuine reconciliation in the countries of origin, establishing judicial systems for prosecuting crimes committed against the population, training police and revitalizing the economy were indispensable for the peaceful resettlement of refugees. In that connection, it was hoped that the plan of action adopted in February 1995 at the regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region would be implemented without delay and create momentum for voluntary repatriation in that part of Africa. Lastly, he stressed the fact that millions of internally displaced persons remained at the mercy of oppressive regimes and urged the international community to find a balance between the sovereignty of States with regard to their internal affairs and the inalienable rights of those people, who could not be protected under the relevant international instruments.

14. Mrs. Tavares de Álvarez (Dominican Republic), Vice-Chairman, took the Chair.

15. Mr. MARUYAMA (Japan) expressed his Government's condolences to the Government and people of Israel on the occasion of the death of the Prime Minister, Mr. Rabin.

16. He said that in the past few years the international community had faced an unprecedented challenge as the number of refugees and internally displaced persons had soared to total some 27.4 million people of concern to UNHCR. Some success had been achieved in recent months with the return of some 1.7 million refugees to their countries of origin, notably Mozambique, Afghanistan and Myanmar. The prospects of a solution to the problem of the refugees and displaced persons in the former Yugoslavia had also improved as a result of the cooperation of neighbouring countries and the determined efforts of the humanitarian organizations of the United Nations system. The highest praise for those successes, however, must go to the High Commissioner and her staff, who had displayed extraordinary dedication and commitment to their mission.

17. Formidable new challenges still remained to be faced. One of them was how to ensure a continuum from emergency relief to rehabilitation and development. His Government appreciated the initiative taken by UNHCR in implementing the small community-based quick-impact projects to spark the initial phase of rehabilitation, but a mechanism was needed to ensure a smooth transfer of responsibility for rehabilitation assistance when UNHCR departed. It was essential to establish a close cooperative relationship between UNHCR and international development organizations including UNDP and the World Bank so that their operations could commence as soon as a conflict ended. For its part, the Government of Japan intended to work to effect a smooth continuum through the implementation of bilateral and multilateral development assistance in parallel with humanitarian assistance.

18. With regard to the security of personnel engaged in humanitarian assistance, his delegation wished to express its condolences to the families of

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staff members of humanitarian organizations who had lost their lives in the course of their duties. He appealed to all Member States to ratify or accede to the Convention on the Safety of United Nations and Associated Personnel. It did not automatically cover personnel engaged in humanitarian assistance, however, and in recent months refugees and displaced persons had increasingly frequently found themselves in the midst of conflict and violence together with the personnel assisting them. His delegation would therefore like to propose that the Security Council or the General Assembly should make the declaration of an "exceptional risk" more automatic in order to cover such personnel.

19. He emphasized once again the need to extend international assistance not only to the countries of origin but to the neighbouring and refugee host countries. According to the High Commissioner's report, one of the most difficult problems confronting the Office in recent years had been the diminishing availability of asylum even on a temporary basis. The costs of hosting a large number of refugees were often immeasurable; it was therefore the responsibility of the international community to give greater attention to the concerns of affected host countries. Japan for its part had responded to the incidents in the Great Lakes region by extending assistance to affected neighbouring countries and would continue that policy.

20. Ms. WILSON (New Zealand) expressed her Government's condolences to the Government and people of Israel on the occasion of the death of the Prime Minister, Mr. Rabin.

21. She said that the occurrence of major humanitarian emergencies in recent years, such as massive outflows of refugees and displaced persons and continuing conflict situations, had repeatedly increased the demands on UNHCR, donors and host countries. While the international community and UNHCR had often been obliged to respond to crises as they arose, the latter had also adopted the strategic approach of promoting lasting solutions and seeking to prevent problems before they arose.

22. It had also undertaken innovative work on key components of its refugee operations, for example, in the new guidelines on preventing and responding to sexual violence against refugees, as part of its focus on protection and assistance to refugee women.

23. Her Government noted the new guidelines that had been developed to ensure that environmental principles were built into refugee operations from the outset and believed that they would be welcomed by countries hosting large populations of refugees, particularly in ecologically fragile areas. The enormous burden on such States must be acknowledged and her Government particularly wished to acknowledge the contribution of many developing countries of Africa.

24. With regard to the Great Lakes region, her Government urged the countries concerned to cooperate with the new International Tribunal for Rwanda. Justice for the perpetrators of genocide would be crucial in seeing that region recover from its troubles.

25. In cases of "asylum fatigue" on the part of the people or Government of a host country due to the enormous demands of large-scale refugee problems, the

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international community should share the burden of assisting refugee and humanitarian operations. Respect for the fundamental principles of the protection system contained in the 1951 Convention on the Status of Refugees and its 1967 Protocol and for UNHCR guidelines continued to be essential to secure the rights of refugees and displaced persons and to ensure their human treatment.

26. Respect for international protection standards and international law remained critical for the displaced populations of the former Yugoslavia. Along with the rest of the international community, her Government had been appalled by the callous treatment of vulnerable groups in that area and continued to be concerned about the fate of missing persons within the territory of the former Yugoslavia and the indications that mass executions might have taken place. Now that a peace settlement seemed possible, her Government endorsed the view that UNHCR should continue in its role as coordinator of humanitarian assistance and agreed with UNHCR that careful planning was required to ensure a phased and coordinated programme for the return of refugees and displaced persons in safety and dignity.

27. There was still a danger that UNHCR might become overburdened by its commitments. The Inter-Agency Standing Committee established by General Assembly resolution 46/182 and the Department of Humanitarian Affairs could play a key role in humanitarian coordination and should do so if UNHCR was not to be over-stretched. The New Zealand Government reiterated its commitment to the protection and humanitarian assistance mandate of UNHCR.

28. Mr. TESSEMA (Ethiopia) expressed his Government's condolences to the Government and people of Israel on the occasion of the death of the Prime Minister, Mr. Rabin.

29. A new aspect of the refugee problem was the resurgence of violence and the difficulty of ensuring the protection of refugees. A further serious concern was the declining support for the general conception of asylum under the 1951 Convention and its 1967 Protocol.

30. In that regard, recent cases of the forced repatriation of refugees had occurred, mainly owing to frustration over lack of progress in the process behind it. Although that frustration was understandable, international agreements should also be observed, and the international community should weigh willingness to assist refugees against pressures created by a sudden mass influx in asylum-providing nations. The latter were among the least developed nations, where an emergency situation on such an enormous scale placed pressure on their environment, infrastructure and resources.

31. Efforts being made by the countries of the region, the Organization of African Unity and UNHCR had included a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region of Africa in February 1995 which had addressed the problem of the large number of displaced persons in the region both from the humanitarian perspective as well as in an economic, social and political context. It had drawn up a plan of action focusing on voluntary repatriation as the best durable solution and underscoring the role of the countries of origin, those providing asylum and the

international donor community. The conference had attempted to identify the root causes of the refugee crisis in the region; it should be emphasized that the follow-up of the plan of action was vital for easing the suffering of refugees. More than ever, the international community must broaden its assistance in conjunction with the countries of origin and those providing asylum. Above all, there was a pressing need to establish a proper link between relief, rehabilitation, recovery and development.

32. All efforts to find durable solutions must address the root causes; there had been little progress in that respect. It was also important to address the problem of the vulnerable groups, notably women and children, who currently constituted 80 per cent of all refugees; their protection should be an integral part of any strategy.

33. In the Horn of Africa, the plight of Somali refugees was still at a critical stage. The international community must not withdraw assistance because of the prevailing situation in Somalia. Similarly, in West Africa, Liberia still needed support in rehabilitating the large number of refugees returning to their places of origin following the restoration of peace.

34. Ethiopia was currently hosting nearly half a million refugees of whom 83 per cent were Somalis, whose numbers were still rising. On the other hand, between 1991 and 1995 nearly one million Ethiopian refugees had been voluntarily repatriated from neighbouring countries. However, they faced a lack of health services, drinking water and roads in the aftermath of the long-running civil war. The efforts of UNHCR and the Ethiopian Government tended to be inadequate, particularly with regard to making returnees self-reliant. His Government called on the relevant United Nations agencies to coordinate their refugee activities with those of UNHCR.

35. The problem of refugees could be prevented if its root causes were well understood and measures drawn up to address its political, economic and social aspects as part of a broader process of economic development and social reconciliation. Within the United Nations, the efforts of UNHCR should be provided with adequate support and its activities complemented by strengthening coordination with the activities of other United Nations agencies. It was only through a coordinated effort that assistance to and repatriation of refugees and the pursuit of national rehabilitation and reconstruction could be realized.

AGENDA ITEM 106: CRIME PREVENTION AND CRIMINAL JUSTICE (continued)
(A/C.3/50/L.15)

36. Mr. BUSACCA (Italy), introducing draft resolution A/C.3/50/L.15 on behalf of the original sponsors and Antigua, and Barbuda, Canada, Cape Verde, Germany and Greece, said that recent trends in transnational crime and in the means of upgrading the ability of national law-enforcement agencies and legal systems to combat them had given rise to a number of United Nations activities over a short period of time, in addition to the regular functioning of the Commission on Crime Prevention and Criminal Justice.

37. The main purpose of the draft resolution was to support the Secretary-General's proposals for a modest strengthening of the United Nations operative

structure in the field of crime prevention and criminal justice. Those proposals were realistic and took into account the difficult financial predicament of the Organization. Several points had also been modified in the draft resolution, in line with proposals made by concerned delegations.

38. The decisions that the General Assembly would take at its current session would have a significant bearing on the scope of the United Nations crime prevention programme in the coming years. With that consideration in mind, the sponsors hoped that, as in previous years, the draft resolution could be adopted by consensus.

AGENDA ITEM 108: INTERNATIONAL DRUG CONTROL (continued) (A/C.3/50/L.14)

39. Mrs. RAMÍREZ (Mexico) introduced draft resolution A/C.3/50/L.14 on behalf of the original sponsors and Cape Verde, Greece, Mauritania, Micronesia (Federated States of), Pakistan, Peru and Tunisia. The draft resolution, like previous ones on drug control, reflected the spirit of cooperation and was the result of intense negotiations. It was hoped that the draft resolution would be adopted by consensus.

The meeting rose at 11.55 a.m.